

MINUTES

**McDowell Sonoran Preserve Commission
Community Development Conference Room
1st Floor, One Civic Center, 7447 E. Indian School Road
February 14, 2002
5:00 p.m.**

CALL TO ORDER

The meeting was called to order at 5:05 p.m.

ATTENDANCE

Present: Darren Smith, Vice-Chairman
Darcy Thomas
Les Conklin
Howard Meyers
Donald Ruff
Laura Fisher
Bill Berkley
Dennis Carr
Jane Rau
Carla

Absent: Art DeCabooter, Chairman

Staff: Bob Cafarella
Claire Miller
Teresa Huish

Visitors: Tony Nelssen, Cindy Slick, APS, Mike Neil, APS, Stan Spencer, WAPA, Jonathan Arnold

APPROVAL OF MINUTES

MOTION WAS MADE BY Commissioner Ruff TO APPROVE THE JANUARY 3, 2002 MINUTES AS PRESENTED. MOTION WAS SECONDED BY Commissioner Fisher, WHICH CARRIED unanimously 10 TO 0.

CACTUS PRUNING POLICIES ALONG POWER LINES

Mr. Cafarella stated APS and WAPA are the two power companies that have lines running through the existing Preserve and the planned Preserve area. He further stated that APS and WAPA have agreed to have a dialogue with the Commission concerning maintenance policies.

Cindy Slick, Customer Service Manager with APS, stated she is here in response to the letter Art DeCabooter sent them a few months ago. She further stated that she wants them know that APS did not take the Commission's concerns lightly. Ms. Slick introduced Mike Neil and presented information on his background as an arborist.

Mike Neil, APS, provided a brief powerpoint presentation that outlined in detail their Vegetation Management Program. He stated that with regard to plant pruning and removal their first priority is to provide a safe environment for their employees as well as the public.

Mr. Neil outlined their concerns regarding fire. He provided a history on the past fires that have occurred around the country. Mr. Neil provided information on transmission lines reporting the lines can sag and as the temperatures increase the ambient temperature of the cables increase.

Mr. Neil noted that all utility companies in the United States abide by the National Safety Code regarding vegetation management. He further noted they prune the cactus according to the guidelines of the Arizona Department of Agriculture. He reported that they cut the cactus on an angle and treat the cut with bleach that helps the cut heal. He showed pictures of some of the cactus that APS has pruned. In most cases, you cannot tell they have been trimmed. He also showed picture of cactus that has been improperly trimmed for comparison.

Mr. Neil stated that the letter from Mr. DeCaboooter referenced the debris that is left on the ground. He reported the reason they scatter the debris on the ground is because it adds nutrients back to the soil and provides food for the wildlife.

Mr. Neil provided a summary of what they have done in the Preserve. He discussed the options for the future. He stated it is not practical to relocate large cactus because the survival rate is low. An option would be to only relocate cactus that are six meters or less. They are willing to replace the larger cactus with low growing cactus.

Mr. Stan Spencer from WAPA stated their vegetation management program is in line with what APS does. He stated that they patrol the area four times a year and have identified three saguaro cactus that may be candidates for possible pruning in the future.

Commissioner Meyers stated the reproductive part of the cactus is in the arms and for them to be sustainable in the future they rely on new growth. He suggested that they move the smaller ones out of the power lines. He further stated he would agree that they probably do not want to move the larger cactus because it would probably destroy them in the process so they have to do whatever they can to maintain them.

Tony Nelssen stated it was a nice powerpoint presentation but unfortunately, there were a lot of facts left out. He further stated that he contacted a native plant specialist at the Arizona Botanical Gardens and this individual referred to the pruning done by APS as butchering. He commented on the issue regarding moving large cactus stating that certain people know how to do it. He further commented that leaving the trimmings on the ground is in direct contradiction with the policies of the Rural Metro Fire Department. These piles are responsible for many ladder fuels fires. He added he would disagree with how they are cutting the ironwoods. He reported the Commission needs to deal with reality versus the presentation.

Carla stated APS has been a good partner but in this case, perhaps APS's policies are not actually being done on the ground. She further stated some education needs to be done in coordination with Rural Metro regarding the ladder fuels fire issues. She recommended that APS coordinate with the Preserve Manager anytime they go into that area.

Commissioner Meyers suggested that the power companies coordination with the Commission and the Land Trust to ensure that everything is being done properly.

Mr. Neil stated they provide their employees with annual training. He presented clarification regarding how they handle trimming the ironwoods and Palo Verde.

Commissioner Smith recommended that a small group of commissioners work with APS and setup recommended guidelines to resolve these issues. Commissioner Fisher volunteered to work with APS.

Mr. Spencer from WAPA stated when he indicated earlier that they are in line with APS's policies he was referring to the cactus pruning issue. He stated WAPA does not trim trees, they remove them.

Commissioner Meyers requested that WAPA send the Commission a copy of their written policies.

STATE LANDS GENERAL PLAN AMENDMENT STUDY

Mr. Cafarella presented information on the planning process that the State is required to do because of the Growing Smarter legislation. He stated staff is working with the State regarding how the API reclassification ruling affects Scottsdale's General Plan.

Teresa Huish stated she would like to emphasize that this is a partnership and the City has a unique role because they are acting as the planning consultant with the State Land Department. They are evaluating the proposal to make sure it meets all of the ordinance requirements. She further stated this is a general plan amendment because of the 3500 acre size. The City cannot show it all as open space as they would like. Their goal is to put together a good proposal that is a benefit to both the City and the State Land Department.

Ms. Huish reviewed the public outreach and public hearing process. She stated a newsletter would be sent out. She noted that the Planning Commission would hear this proposal the end of August and the City Council would vote on it the end of September.

Commissioner Carla requested that the Commission receive the newsletter. She inquired what would go on the map. Ms. Huish stated the land use map has not changed very much.

Ms. Huish discussed the people who would be involved in this process. Mr. Cafarella stated there is a lot of land but not a lot of issues.

Carla stated she would encourage everyone to attend the open houses.

Mr. Nelssen inquired how this will effect the wireless issues in the Preserve and the land outside the RSB. Mr. Cafarella stated that wireless facilities proposed in the Preserve would require a use permit.

Commissioner Meyers inquired if the proposed school site would have to go through this process. Ms. Huish stated they are working with the School District on this process.

COMMENTS RECEIVED ON PROPOSED COMMERCIAL PERMITTING IN PRESERVE

Carla stated that the Commission has received a list of the outstanding issues that need to be resolved regarding the proposed text for commercial permitting in the Preserve.

Ms. Miller stated the Grand Canyon National Park Commercial Day Hiking Permit is the closest to the mission of the McDowell Sonoran Preserve to protect the resource and ecosystem and to allow compatible use.

Ms. Miller stated one of the issues they need to decide is whether they want a fee structure. Commissioner Carr presented information regarding the Grand Canyon's fee structure. Carla requested that the commissioners review this list and provide staff with their feedback by March 15th.

DIRECTOR'S REPORT

Mr. Cafarella stated at the February 19, 2002 City Council meeting they would be tweaking Chapter 21 of the Preserve Ordinance that deals with illegal activities in the Preserve and enforcement. Mr. Cafarella stated they are applying for a Heritage Grant to receive funding to build the Sunrise Trail.

Carla inquired about the status of the Sprint application on Stage Coach Pass. Mr. Cafarella stated they have not heard anything from the applicant so it may have gone away.

PRESERVE MANAGER'S REPORT

Ms. Miller reported the AZ Game and Fish Department would be doing a helicopter game survey in the Preserve on Monday, February 25th. They are working on the design guidelines for the access areas. She further reported that the wildlife catch permit is complete. She added the Wildlife Conference was held last week and it was well attended. She further added the Healthy Heart hike in the Lost Dog Wash was successful. Ms. Miller stated that there are several Eagle Scout and Stewards projects scheduled.

Commissioner Meyers inquired if a tentative date has been scheduled to meet with the Phoenix Preserve Commission. Mr. Cafarella stated they are considering September 2002.

MOTION WAS MADE by Commissioner Carr TO HOLD EXECUTIVE SESSION FOR MARCH 7, 2002 FOR THE PURPOSE OF DISCUSSION WITH REPRESENTATIVES OF THE PUBLIC BODY AND CONSULTATION WITH CITY ATTORNEY FOR LEGAL ADVICE TO CONSIDER ITS POSITION AND INSTRUCT ITS REPRESENTATIVES REGARDING NEGOTIATING FOR PURCHASE OR LEASE OF REAL PROPERTY FOR INCLUSION IN THE MCDOWELL SONORAN PRESERVE. ARS 38-431.03 (A) (3) and (A) (7). MOTION WAS SECONDED BY Commissioner Rau, which carried unanimously 10-0.

COMMISSIONER COMMENTS AND PUBLIC COMMENTS

Commissioner Conklin stated there is a ban on campaign signs in the scenic drive.

It was suggested that they invite the Police Department to a future meeting to discuss whether they have come up with a plan to help educate their patrol force to become more proactive when incidents of crime occur in the Preserve and whether they have created a Preserve address. It was also suggested that they invite the Fire Department to address the issues they have discussed this evening. An update on the trails system access area was suggested.

ADJOURNMENT

Meeting adjourned at 6:30 p.m.

Respectfully Submitted,

Cheryl Hancey
Court Reporter